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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on August 29, 2005

Bradley D. Goldizen

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DIRLE, Diana

Serial Number: 10/826,066

Examiner: SMITH, Kimberly S.

Filed: April 16, 2004

Group Art Unit: 3644

For: POWDER DISPENSER AND METHOD FOR PET CARE

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop-Non Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

August 29, 2005

Sir:

This election is filed in response to the Restriction Requirement dated August 10, 2005. In the Restriction Requirement, the Examiner identified two distinct inventions. The Examiner required the applicant, under 35 U.S.C. § 121, to elect a single invention for prosecution. The two inventions identified by the Examiner are:

- I) Claims 1-17; Powder Dispenser
- II) Claims 18-20; Method of treating a toenail.

Pursuant to the Examiner's requirement, the applicant provisionally elects Group I, Claims 1-17, with traverse. Applicant submits that the identified groups are sufficiently related in nature such that a search of one group would necessarily cover the subject matter of the non- elected groups. It is understood that Group II will be withdrawn from prosecution. Applicant hereby reserves the right to file divisional applications on the subject matter of these claims.

An earlier examination and favorable action on claims are respectfully requested.

Respectfully submitted,

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